

REMARKS

Claims 1, 3-5 and 8-11 are pending.

No amendments have been made by way of the present submission, thus, no new matter has been added.

Additionally, no new issues are raised herein that would require additional search and/or consideration on the part of the Examiner. Applicants are simply submitting a Terminal Disclaimer to remove an obviousness-type double patenting issue.

In the event that the present submission does not place the application into condition for allowance, entry thereof is respectfully requested as placing the application into better form for appeal.

In view of the following remarks, Applicants respectfully request that the Examiner withdrawal all rejections and allow the currently pending claims.

Obviousness-Type Double Patenting

The Examiner has rejected claims 1, 3-5 and 8-11 under the judicially created doctrine of obviousness-type double patenting as being obvious over claims 1-19 of Sugimoto et al., U.S. Patent No. 6,838,510 (Sugimoto '510) in view of Baba (JP 01-40566 A) and Malm et al. (U.S. Patent No. 6,017,989). Applicants respectfully traverse this rejection.

The present application and the Sugimoto '510 patent are both assigned to Prime Polymer Co., Ltd. Thus, attached hereto is a Terminal Disclaimer directed to the Sugimoto '510 patent. Thus, this issue is moot. Reconsideration and withdrawal thereof are respectfully requested.

In view of the above, the present application is in condition for allowance. Issuance of a Notice of Allowability is respectfully solicited.

Application No. 10/645,608
Amendment dated May 12, 2008
After Final Office Action of February 21, 2008

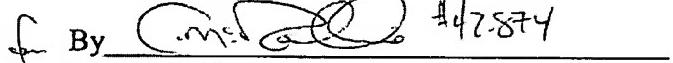
Docket No.: 2895-0138P

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie, Reg. No. 72,974 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: May 12, 2008

Respectfully submitted,

By  #47874

Marc S. Weiner
Registration No.: 32,181
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant